

June 11, 2018

Craig Dossey, Executive Director, and  
Leonard Kendall, Planner I  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910

RE: Administrative Review Request for 1310 & 1340 Ainsworth St. Colorado Springs, CO 80915; Requesting accommodation to continue to operate property for automobile service and maintenance purposes

Dear Messrs. Dossey and Kendall:

I represent Kevin Podoll, whose company, Podoll & Associates LLC, operates a used automotive dealership on the above property, which it owns. I am writing to request a zoning accommodation with respect to this property which would permit a prospective buyer to continue to conduct an automotive service and sales business thereon.

In 2003, prior to development of the site, a plan (El Paso County File No. AL-03-010) was approved for a Special Use as an automotive dealership, subject to numerous conditions, notably: *"Any type of automotive repairs on site is prohibited."* In the proceeding 15 years, the El Paso County Land Development Code has undergone substantial revisions and modifications, and the property is now located within the "CC-Commercial Community" zoning classification, defined as the follows (from the Land Development Code);

*3.2.5 Commercial District Purposes (A) CC, Commercial Community District The CC zoning district is intended to accommodate retail sales and service establishments that generally require freestanding or small center type buildings that primarily serve adjoining neighborhoods.*

Subsequently, a dealership building and three enclosed services bays with hydraulic lifts were erected on the site. The property has been operated without penalty or issue thereafter for dual auto service and sales purposes.

Presently, BPD Partnership (Buyer), a real estate entity controlled by Deborah L. Flaherty, has entered into a Purchase and Sale Agreement with Podoll & Associates LLC (Seller), for the above-referenced property. Buyer intends to operate the real estate as a used vehicle dealership, which will sell, service and finance used cars and trucks. The Service Department plays an integral part in Buyer's business, enabling the maintenance and service of customer vehicles, new inventory, and trade-ins, as well as the reconditioning of repossessed vehicles. Buyer's intended auto maintenance services would be limited to the Buyer's owned vehicles and customers, and these will neither be advertised nor available to the general public.

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We respectfully request that you authorize the Buyer to continue to use the property as necessary to conduct its automotive service business, including operation of service facilities. I am happy to discuss this matter at your convenience. Please contact me at O: 719-418-4069, M: 719-231-7400, museman@coscommercial.com. Thank you for your consideration on this matter.

Sincerely,

Mark Useman, on behalf of Kevin Podoll (Podoll & Associates LLC)



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Signature

06/11/2018

Date

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